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UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
Washington D C 20230

February 7, 2003

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Service Rules for Advanced Wireless Services in the 1.7 GHz and 2.1 Ghz Bands, WT
Docket No. 02-353

Dear Ms. Dortch:

Enclosed please an original and four (4) copies of the Comments of the Nation; Telecommunications and Information Administration in the above-referenced proceeding. A diskette with a WordPerfect file of the comments is also enclosed.

Please direct any questions you may have regarding this letter to the undersigned. Thank you for your cooperation.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kathy D. Smith".

Kathy D. Smith
Chief Counsel

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

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Services Rules for Advanced Wireless Services
in the 1.7GHz and 2.1 GHz Bands

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WT Docket No. 02-353

**Comments of the
National Telecommunications and Information Administration**

The National Telecommunications and Information Administration (NTIA),¹ in consultation with the Interdepartment Radio Advisory Committee (IRAC), hereby submits comments in the above-captioned proceeding regarding service rules for Advanced Wireless Services (AWS) in the 1710-1755 MHz and 2110-2150 MHz bands.² NTIA generally supports development of service rules for AWS in these frequencies, but reminds the Federal Communications Commission (Commission) that any such rules must be fully consistent with the assumptions and conclusions of the *NTIA Viability Assessment*, which identified the bases for

¹ NTIA is the Executive Branch agency responsible for developing and articulating domestic and international telecommunications policy. NTIA acts as the principal advisor to the President on telecommunications policies pertaining to the nation's economic and technological advancement and to the regulation of the telecommunications industry. NTIA is also responsible for managing the Federal Government's use of the radio spectrum. The Federal agencies are extremely dependent on spectrum access to support a wide variety of critical services, from weather forecasting to national defense, to benefit the American people.

² *Service Rules for Advanced Wireless Services*, Notice of Proposed Rulemaking (NPRM), WT Docket No. 02-353, FCC 02-305, 67 Fed. Reg. 78209 (Dec. 23, 2002).

making this allocation feasible.’ NTIA’s specific comments on the proposals in this regard are set forth below.

The Commission, acting on behalf of the private sector, and the NTIA on behalf of the federal agencies, coordinate their spectrum management efforts on almost a daily basis to ensure that the spectrum needs of the private sector and the Federal Government are met now and in the future. Presently, this task is becoming more complicated, given the increasing proliferation of wireless services and applications. Available spectrum is particularly scarce in the popular frequencies below 3 GHz. Accordingly, the Commission is well aware that finding available spectrum below 3 GHz for the development of AWS, such as third generation (3G) mobile wireless systems, was a complex and challenging process. However, as a result of extensive study and cooperation between NTIA, the Commission, the Department of Commerce, the Department of Defense, and other federal agencies, the agencies were able to identify the 1710-1755 MHz and 2110-2150 MHz bands to accommodate AWS operations subject to certain condition, such as relocation of certain incumbents users and the continued protection of others.

NTIA commends the Commission for developing the proposed service rules for AWS. This proceeding, when complete, will provide two 45 MHz blocks of spectrum to be paired for mobile services and provide comparable spectrum for the relocation of certain federal radio systems from the 1710-1755 MHz band. While NTIA understands the necessity of separate rulemaking segments, NTIA expects shortly to be able to review the third notice in this

³ See *An Assessment of the Viability of Accommodating Advanced Mobile Wireless (3G) Systems in the 1710-1770 MHz and 2110-2170 MHz Bands (NTIA AWS Assessment)*, National Telecommunications and Information Administration, U.S. Department of Commerce (July 22, 2002). This report is available on NTIA’s web site at <http://www.ntia.doc.gov/ntiahome/threcg/va7222002/3Gva072202web.htm>.

proceeding dealing with comparable spectrum and allocation issues regarding relocated federal systems in accordance with the *NTIA ViabilityAssessment*. NTIA strongly recommends that the final release of the service rules and the rules regarding allocation actions for comparable spectrum occur simultaneously, thus presenting a complete set of rules to the nation. Delivering a complete picture of the path forward to AWS deployment is essential to ensuring a smooth and orderly implementation.?

In the instant proceeding, the Commission seeks comment on allowing both mobile and base station operations in the 1710-1755 MHz band.’ If this configuration were permitted commercial stations could transmit at relatively high power levels (up to 1000 watts effective radiated power (BRP)). However, the *NTIA ViabilityAssessment* considered only low-powered mobile operations in the band, in consonance with the parameters supplied by the Commission for IMT-2000 mobile systems. All analyses regarding sharing and electromagnetic compatibility issues in the 1710-1755 MHz band were conducted using the notional IMT-2000 mobile parameters. If base stations were to be allowed in the 1710-1755 MHz band, transmitted powers could be up to 40 dB higher than those considered in the *NTIA ViabilityAssessment*. In that case, the conclusions contained in the *NTIA ViabilityAssessment* are no longer valid, and a new assessment addressing the sharing and electromagnetic compatibility issues for the accommodation of AWS systems would be required - - clearly delaying AWS deployment and

⁴ If the subsequent Report and Order is released without the ancillary provisions for accommodating relocated federal systems, at a minimum, language should be added indicating that, until such provisions are made, the 1710-1755 MHz band will be significantly encumbered by federal operations.

⁵ NPRM at ¶ 66.

potentially resulting in different and less feasible sharing outcomes. Accordingly, NTIA strongly urges the Commission to prohibit base stations in the 1710-1755 MHz band.

The Commission also seeks comments on power or out-of-band emissions limits for the bands being considered.⁶ NTIA believes that adjacent band incumbent operations must be protected from interference. Appropriate out-of-band emission limits need to be determined. NTIA pledges to work with the Commission to establish such limits in order to protect incumbent users.

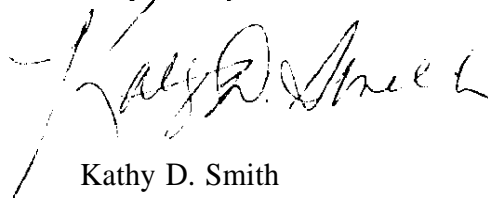
Finally, the Commission should be aware of the on-going radio astronomy observations carried on in the 1710-1755 MHz band by the National Science Foundation. Footnote US 311 lists the frequencies and geographical locations where such observations take place. NTIA recommends that the Commission include information on the radio astronomy observations in the Report and Order in this proceeding and in any bidder's package associated with auctioning licenses in the 1710-1755 MHz band, so that licensees may limit interference to the extent practicable.

In conclusion, NTIA strongly supports the Commission's efforts to move forward with AWS implementation, but underscores that such implementation must be fully consistent with the parameters of the *NTIA Viability Assessment*. NTIA is committed to working with the Commission regarding the various issues associated with this complex spectrum task and to

⁶ *Id.*

achieving the timely and effective deployment of publicly beneficial AWS services to U.S.
businesses and consumers

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kathy D. Smith", written over a horizontal line.

Kathy D. Smith
Chief Counsel

Nancy J. Victory
Assistant Secretary for
Communications and Information

Fredrick R. Wentland
Acting Associate Administrator
Office of Spectrum Management

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